

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case (ECF No. 31), filed August 30, 2017. No objections were filed, and the Magistrate's recommendation is ripe for review. The District Judge reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

Accordingly, it is **ORDERED** that the Defendant's Motion to Dismiss (ECF No. 16) should be and is hereby **DENIED** without prejudice as **MOOT**.

**SO ORDERED** on this 15th day of September, 2017.

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE